

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

LINCOLN D. LEVYS,)	
)	
Plaintiff,)	Civil Action No. 17-761
)	Judge David Stewart Cercone
v.)	Chief Magistrate Judge Maureen P. Kelly
)	
ORLANDO HARPER and ALLEGHENY)	
COUNTY JAIL,)	
)	
Defendants.)	

ORDER OF COURT

After Plaintiff filed a complaint in the above-captioned matter, Defendants filed a Motion to Dismiss (ECF 27). A Report and Recommendation was filed by Chief United States Magistrate Judge Maureen P. Kelly on May 15, 2018, (ECF 31) which recommended granting the Motion to Dismiss. Upon consideration of Plaintiff's Objections (ECF 32), upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is ADOPTED as the Opinion of this Court,

IT IS HEREBY ORDERED this 7th day of June, 2018, that Defendants' Motion to Dismiss (ECF 27) is GRANTED. Plaintiff is granted leave to file an amended complaint that rectifies the deficiencies outlined in the Report and Recommendation by June 28, 2018.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

s/ DAVID STEWART CERCONE
David Stewart Cercone
Senior United States District Judge

cc: Honorable Maureen P. Kelly
Chief United States Magistrate Judge

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(*Via First Class Mail*)

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